



**CULTIVATING AN ANTI-RACIST WORKPLACE IN PUBLIC
DEFENSE – FROM RECRUITING TO RETENTION**

Diversity

Equity

Inclusion

- Variety?
- What voids are you seeking to fill and why?
- Affirmative action?
- What type of space are you hoping to cultivate?

- Equity \neq Equality
- Equity accounts for systemic injustice & inequity

- What does it mean to be “included” in a predominantly white space?
- Tolerance?
- Assimilation?

WHAT IS PRIVILEGE?

Privilege is access to certain advantages, benefits or rights that are denied to others based on their identity, experience or membership in a certain social group. The absence of certain experiences of oppression in and of itself, is a privilege.

WHAT IS SYSTEMIC OPPRESSION?

Institutional Oppression is the systematic mistreatment of people within a social identity group, supported and enforced by the society and its institutions, solely based on the person's membership in the social identity group. Institutional Oppression occurs when established laws, customs, and practices systematically reflect and produce inequities based on one's membership in targeted social identity groups.

If oppressive consequences accrue to institutional laws, customs, or practices, the institution is oppressive whether or not the individuals maintaining those practices have oppressive intentions. Institutional Oppression creates a system of invisible barriers limiting people based on their membership in disfavored social identity groups.

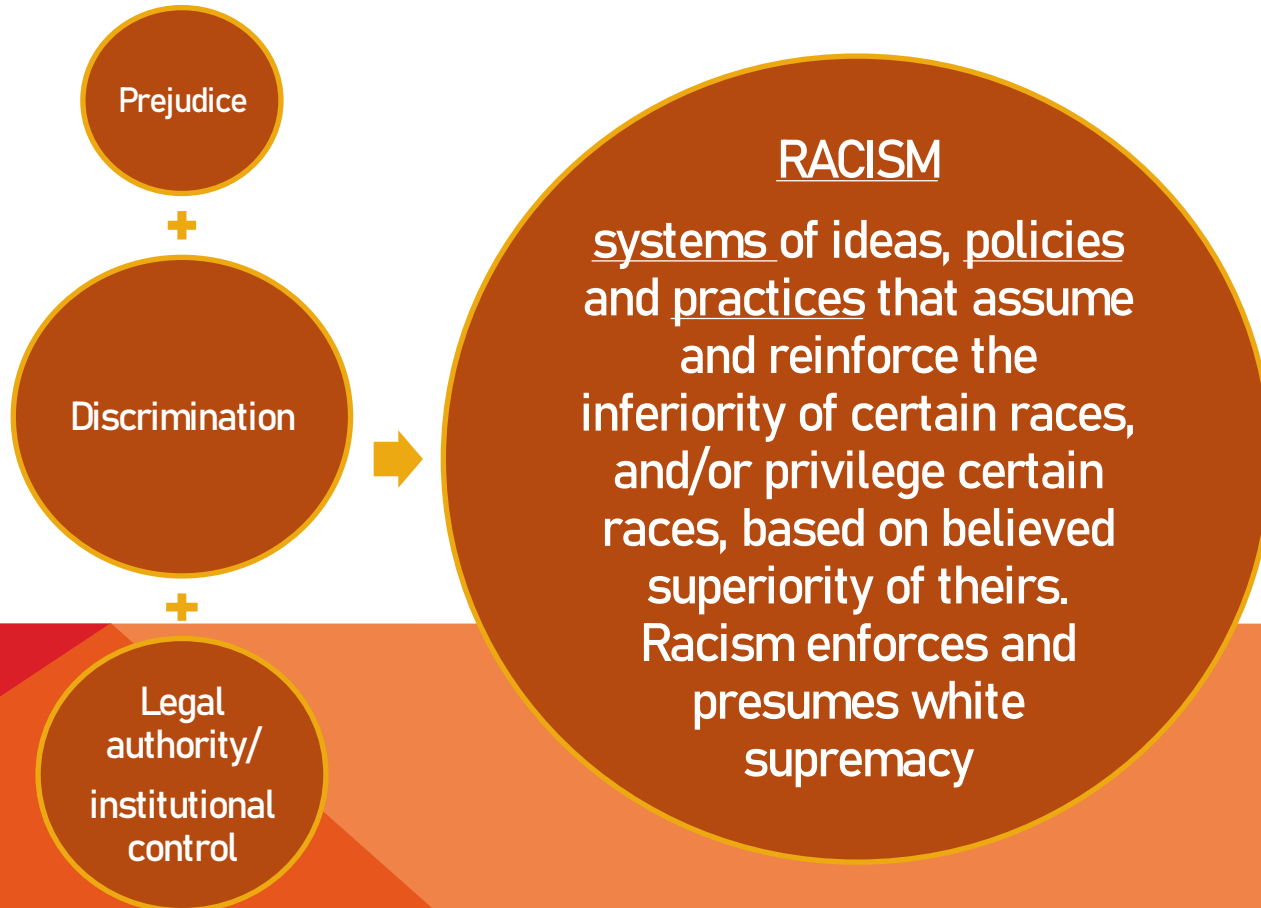
The barriers are only invisible to those “seemingly” unaffected by it.

- Adapted from “Institutional Oppression”, Tools for Diversity

WHAT IS RACE?

- Biological identity that can be deciphered by physical features including skin color, resulting in distinct attributes, characteristics and behaviors???
- Race is a social status that was created--contrived, to justify treating people differently, and to enforce systems of hierarchy that grant power and privilege to some and not others. The people who historically, and as a result, presently maintain the position of power in the racial hierarchy, were people of European descent, eventually deemed white.
 - The concept of race centers and privileges whiteness; it establishes whiteness as default and superior, and any non-white race as a deviation from whiteness, and therefore, inferior. Race, is essentially, a way to “other” non-white people.

WHAT IS RACISM?



ANTI-BLACKNESS & ANTI-BLACK RACISM

“The Council for Democratizing Education defines antiBlackness as being a two-part formation that both voids Blackness of value, while systematically marginalizing Black people and their issues. The first form of antiBlackness is overt racism. Society also associates unpolitically correct comments with the overt nature of anti-Black racism. Beneath this anti-black racism is the covert structural and systemic racism which categorically predetermines the socioeconomic status of Blacks in this country. The structure is held in place by anti-Black policies, institutions, and ideologies.

The second form of anti-Blackness is the unethical disregard for anti-Black institutions and policies. This disregard is the product of class, race, and/or gender privilege certain individuals experience due to anti-Black institutions and policies. This form of anti-Blackness is protected by the first form of overt racism.

“A term used to specifically describe the unique discrimination, violence and harms imposed on and impacting Black people specifically” -
Movement for Black Lives

MISOGYNOIR

A term coined by queer Black feminist Moia Bailey to describe the distinct discrimination, disdain and violence directed at Black women specifically, at the intersection of misogyny and anti-Blackness.

WHITE SUPREMACY

Belief in the inherent superiority and normalcy of whiteness, explicitly or implicitly, consciously or not.

White Supremacy...

- Can involve but doesn't require a belief in white nationalism/that people of other races should not co-exist
- Can involve but does not require physical violence
- Can involve but does not require an overt disdain for other races

Anti-Blackness is just one of many tools used to uphold white supremacy. While white supremacy most benefits and centers whiteness, anyone of any race can be a surrogate of white supremacy, and perpetuate anti-Blackness.

RACISM AS SYSTEMIC OPPRESSION

“A history of racist exclusion meant that this frame was generally formed without any input from racially excluded groups. Yet, because most people in these institutions, as well as most social scientists who study institutions, fail to make the connection between historical racist exclusion and contemporary institutional norms, much of the white frame remains tacit, thereby reifying whiteness within the space without the need for intentional action to do so.”

– Wendy Leo Moore

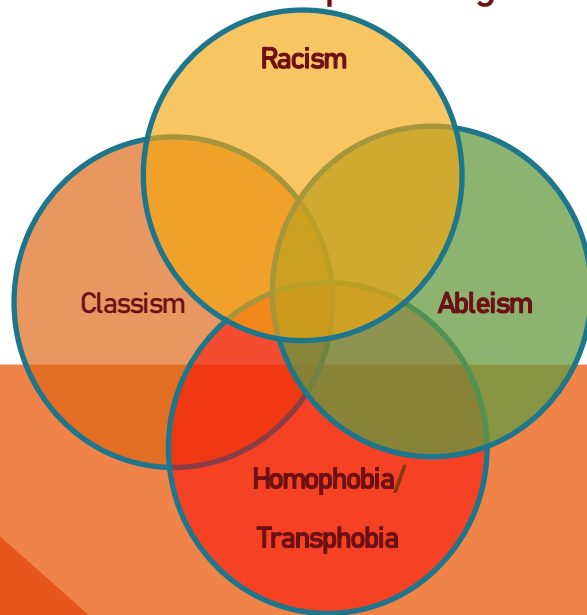
RACISM AS SYSTEMIC OPPRESSION

Why do we uncritically replicate practices conceived at a time where the common conscience actively embraced enslavement, eugenics, internment camps and mass immigration exclusion on the basis of sexual orientation, disability and skin color without considering the extent to which our current legal traditions may be infected by these oppressive ideologies? How can we reasonably believe that standards created when Black, Brown, and Indigenous people were legally excluded from legal institutions are likely to embrace our distinct identities and experiences in the profession? It is worth noting that all these oppressive ideologies and practices still exist—they have simply evolved to be less explicit at times but are no less harmful, and continue to impact our clients and colleagues.

- Shannon Cumberbatch

INTERSECTIONALITY

Intersectionality: A term coined by Kimberle Crenshaw, critical race scholar, lawyer and legal professor to describe how systems of oppression intersect and converge to produce unique experiences of oppression for people with marginalized identities. Initially coined to describe the shortcomings of anti-discrimination law in protecting Black women.



CULTIVATING AN ANTI-RACIST WORKPLACE

Why is it important to cultivate an anti-racist workplace?

- To gut your workplace of oppressive practices before moving to inclusion and inadvertently inviting marginalized people into an oppressive atmosphere
- To be consistent with your purported mission & commitment to marginalized communities and challenging oppression – your values should apply to clients, colleagues and overall office culture
- To provide culturally-conscious client representation

RACIALIZED LEGAL SYSTEMS

“the post-civil rights legal reasoning that supports white racial group interests influences all institutions in the United States. . .the force of these laws is heightened because the law also serves as the main source of authority in the legal curriculum. As such it carries both the authority of the educational knowledge source, as well as the legal and political force of the state. Thus, the law represents one of the deepest racialized, normative structures functioning to enforce and reproduce white institutional space”

- Wendy Leo Moore

CULTIVATING AN ANTI-RACIST WORKPLACE – JOB DESCRIPTION AS A FOUNDATION FOR ALL PROCESSES

Job Description

**Application
Review**

**Interview
Questions**

Deliberations

Evaluations

CULTIVATING AN ANTI-RACIST WORKPLACE - RECRUITING

Re-drafting job descriptions

- What does your job description communicate to applicants?

Reassessing qualifications and “requirements”

- Is a degree really necessary?
- Are transcripts/grades, journals, clerkships really necessary?

Where are you circulating job opportunities?

- Is your reach, and your deadlines, too short?
- Is your posting limited to your own networks?

CULTIVATING AN ANTI-RACIST WORKPLACE - RECRUITING

Places to circulate job listings to reach a broader audience

- Your website!
- Social media
- LinkedIn
- Affinity group list serves
- On campus interviewing or resume collect
- Career services and alumni list serves
- Career boards
- Plant seeds!
- Career fairs

CULTIVATING AN ANTI-RACIST WORKPLACE – APPLICATION REVIEW

- Thoughtfully review application with cultural consciousness
- Review cover resumes and cover letters
- Do not demand perfection
- Do not assume lack of passion due to lack of related experience
- Do not penalize for gaps in employment
- Select a diverse applicant pool!